

United States District Court**for the****Eastern District of Washington****Petition for Warrant or Summons for Offender Under Supervision**

Name of Offender: Justin T. Carter

Case Number: 0980 2:19CR00067-TOR-1

Address of Offender: [REDACTED], Spokane, Washington 99201

Name of Sentencing Judicial Officer: The Honorable Rosanna Malouf Peterson, Senior U.S. District Judge

Name of Supervising Judicial Officer: The Honorable Thomas O. Rice, U.S. District Judge

Date of Original Sentence: September 12, 2019

Original Offense: Distribution of Cocaine, 21 U.S.C. § 841(a)(1), (b)(1)(C);
 Distribution of Cocaine, 21 U.S.C. § 841(a)(1), (b)(1)(C);
 Possession with Intent to Distribute Cocaine, 21 U.S.C. § 841(a)(1), (b)(1)(C)

Original Sentence: Prison - 71 Months; Type of Supervision: Supervised Release
 TSR - 60 Months

Asst. U.S. Attorney: Stephanie A. Van Marter Date Supervision Commenced: June 12, 2023

Defense Attorney: John Stephen Roberts, Jr. Date Supervision Expires: June 11, 2028

PETITIONING THE COURT

To incorporate the violation(s) contained in this petition in future proceedings with the violation(s) previously reported to the Court on 12/04/2023.

On June 13, 2023, Mr. Justin Carter signed his conditions relative to case number 2:19CR00067-TOR-1, indicating he understood all conditions as ordered by the Court.

The probation officer believes that the offender has violated the following condition(s) of supervision:

<u>Violation Number</u>	<u>Nature of Noncompliance</u>
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Mandatory Condition #3: You must refrain from any unlawful use of a controlled substance. You must submit to one drug test within 15 days of release from imprisonment and at least two periodic drug tests thereafter, as determined by the court.

Supporting Evidence: Mr. Carter is alleged to have violated mandatory condition number 3 by ingesting cocaine, previously occurring on or about November 30, 2023, based on sweat patch testing.

On November 30, 2023, a sweat patch was applied to Mr. Carter's person for the purpose of ongoing monitoring, and on December 12, 2023, the patch was removed. Mr. Carter denied that the patch would return positive for any illicit substances at the time of patch removal. On December 22, 2023, the lab confirmation report was received by the U.S. Probation Office, confirming the patch worn by Mr. Carter was positive for cocaine.

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On December 28, 2023, Mr. Carter reported to the U.S. Probation Office in Spokane, as directed and admitted to having previously ingested cocaine, occurring on or about November 23, 2023, indicating that the current stress caused by his pending matters before Your Honor, in addition to anxiety caused by the holidays, contributed to his relapse. Mr. Carter did sign a drug use admission form, serving to memorialize the admission.

3 **Mandatory Condition #3:** You must refrain from any unlawful use of a controlled substance. You must submit to one drug test within 15 days of release from imprisonment and at least two periodic drug tests thereafter, as determined by the court.

Supporting Evidence: Mr. Carter is alleged to have violated mandatory condition number 3 by ingesting cocaine, previously occurring on or about December 18, 2023, based on urinalysis testing.

On December 18, 2023, Mr. Carter reported to the U.S. Probation urinalysis contract provider in Spokane, to participate in random urinalysis testing as required. During testing, Mr. Carter submitted a urinalysis sample that reflected as presumptive positive for cocaine. A drug use denial form in which Mr. Carter signed his name denying any use of cocaine was subsequently received from the vendor.

On December 28, 2023, the lab confirmation report was received by the U.S. Probation Office, confirming the urinalysis sample submitted by Mr. Carter was positive for cocaine. On December 28, 2023, Mr. Carter reported to the U.S. Probation Office in Spokane, as directed, and admitted to having previously ingested cocaine, occurring on or about December 15, 2023, indicating that the current stress caused by his pending matters before Your Honor, in addition to anxiety caused by the holidays, contributed to his relapse. Mr. Carter did sign a drug use admission form, serving to memorialize the admission.

The U.S. Probation Office respectfully recommends the Court to incorporate the violation(s) contained in this petition in future proceedings with the violation(s) previously reported to the Court.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on: January 3, 2024

s/Chris Heinen

Chris Heinen

U.S. Probation Officer

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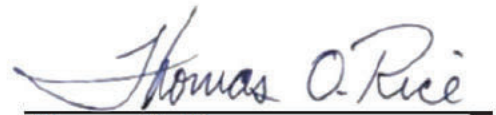
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THE COURT ORDERS

- ☐ No Action
- ☐ The Issuance of a Warrant
- ☐ The Issuance of a Summons
- ☒ The incorporation of the violation(s) contained in this petition with the other violations pending before the Court.
- ☒ Defendant to appear before the Judge assigned to the case.
- ☐ Defendant to appear before the Magistrate Judge.
- ☐ Other



Thomas O. Rice
United States District Judge

January 3, 2024

Date